The office action dated November 1, 2007 (the "Office Action") has been received and noted. Claims 1, 4, 6, 7, 9, 12, 14, 15, 17, 20, 22, 23, 25, 28, 30, 31 and 33-48 were examined. Claims 1, 4, 6, 7, 9, 12, 14, 15, 17, 20, 22, 23, 25, 28, 30-31 and 33-48 were rejected. Claims 1, 9, 17, 25, 37, 41 and 45 are amended to clarify that it is the control object that are editable, as the control elements are dictated by the control objects (e.g., see page 15, line 25 through page 16, line 13 of the application). Applicants submit additional claims 49-50 for consideration, additional claims 49-50 are supported at least at page 15, line 25 to page 16, line 28, feature 224 of Figure 6, page 14, lines 14-23 and control object 206 of Figure 5 of the application). As such, no new matter has been added. Reconsideration of the pending claims and consideration of the additional claims is requested in view of the above-amendments and following remarks.

I.   **Claims Rejected Under 35 U.S.C. § 101**

Claims 17, 20, 22-23 and 41-44 were rejected under 35 U.S.C. §101 because the claimed invention appears to be direct to non-statutory subject matter.

Applicants respectfully disagree as the above mentioned claims are "means" type claims as allowed by 35 U.S.C. §112, paragraph 6. For example, for claim 17, the following feature numbers are inserted into the claim language to provide an example, without limitation thereto, of hardware structure in the specification that constitutes the means of the claim: "means for storing a graphic file created by a multi-layered type computer program, the graphic file containing a list of control objects" (e.g., see Application, platform 20 (e.g., a PC) having storage 30 storing graphic file 56 having control object 60, such as described at p. 13, line 22 to p. 14 line 22; and shown in Fig. 1), and "means for creating an application program other than the multi-layered type computer program to access the graphic file and to display a control element from the graphic file on the graphical user interface" (e.g., see Application, processing system 12 having platform 20 (e.g., a PC) having processor 26, storage 30, and display 70, such as described at p. 9 line 7 to p. 10 line 13; and shown in Fig. 1). This hardware is not merely descriptive, but is physical objects. For example, software such as graphic file 56, control object 60, and application program 64, etc. are physical objects (e.g., computer files) stored in storage 30.

Hence, Applicants respectfully request the Patent Office withdraw the rejection above.

II. Claims Rejected Under 35 U.S.C. § 102

Claims 1, 4, 6, 7, 9, 12, 14, 15, 17, 20, 22, 23, 25, 28, 30, 31 and 33-38 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2006/0059253 to Good et al. (Goodman). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a singe prior art reference. MPEP §2131. Applicants respectfully submit that each and every element in independent claims 1, 9, 17, 25, 37, 41 and 45 and their respective dependent claims is not set forth in the cited reference.

Applicants respectfully disagree for at least the first reason that independent claims 1, 9, 17, 25, 37, 41 and 45 each require a graphic file created by a computer program and containing a list of control objects that dictate an attribute of a control element, and an application program other than the computer program to access a graphics file containing the control objects and to display a control element from the graphics file and the graphical user interface, as required by those claims.

The cited portion of Goodman describes a netcentric execution architecture implemented by a netcentric computing system 10 including various layers (see paragraphs 0002, 0020-0022, and 0079) having a development architecture with development tools (see paragraphs 0074-0075) and management tools (see paragraphs 0312-0321) including: the usual editing and graphical functionalities of object modeling tools (see paragraphs 0387-0389), a presentation design tool that has window editors to allow a developer to design windows and record editors to enable developers to design report layouts (see paragraph 0417), and a media content creation tool capable of creating video and audio (see paragraph 0452). However, none of these descriptions discloses that a graphical object created by a computer program is accessed and edited by a user using a different application program other than the computer program which created the object, where the application program accesses a graphics file including the control object to display a control element having at least one attribute dictated by the control objects, as required by the independent claims. Instead, Goodman describes a single computing system 10 of dynamically distributed application logic, having various layers and tools so that an integrated development environment can be designed implemented and maintained for a customer using a

holistic approach to address all through business integration components of organization, process, and tool (see paragraphs 0015-0016, 0098-0101, and Figures 4 and 15).

Hence, for this first reason, the rejection above of the independent claims should be withdrawn.

Moreover, independent claims 1, 9, 17, 25, 37, 41 and 45 include the limitation of "the control object *independently editable relative to a different control object.*" (App., claims 1, 9, 17, 25, 37, 41 and 45.) The Application gives representative examples of "control elements," which may be images (App., page 13, line 30) such as a button, slider, static text, table pane, or pop-up tab pane. (App., page 14, lines 31-32.) According to the Application, a "control object," which may be located in at least one layer of a graphic file (App., page 16, lines 3-4), describes behavior-related attributes of a corresponding element. (App., page 14, lines 26-28.) Representative "attributes" of a corresponding control element may include the name 210, type 212, state 214, and command 216. (App., page 14, lines 28-35.) "A control element may have one or many associated <u>control objects</u> related to different states or aspect of the control element, e.g., 1 to 100 layers may relate to a single control element." (App., page 16, lines 7-9.) The Application further states that "*[e]ach control element of the user interface may be treated as an independent entity. Thus, any control element may be selected and changed without affecting the other control elements.*" (App., page 16, lines 5-7.) According to the Application, this format allows a designer of the user interface of a GUI to alter the user interface through the graphic file without going through an intermediary format. (App., page 4, lines 14-16.) As a result, the revised GUI may be immediately displayed. (App., page 4, line 17.)

However, the Patent Office has not identified and Applicants unable to find any disclosure in <u>Goodman</u> of independently editable control objects of a graphic file created by a computer program and edited by an application program other than a computer program, as required by the independent claims. Hence, for at least this additional reason, Applicants respectfully request the Patent Office withdraw the rejection above of the independent claims.

Any dependent claims not mentioned herein are submitted as not being anticipated or obvious for at least the reasons given above in support of their base claims and for the additional further limitations of those dependent claims. Hence, Applicants respectfully request the Patent Office withdraw the rejection above of all the claims.

III.   Additional Claims 49-50

Applicants submitted additional claims 49-50 to be patentable for at least the reasons provided above in support of these base claims, as well as the additional limitations of claims 49-50. Specifically, <u>Goodman</u> does not disclose where the application program allows the control objects to be edited using the application program to change the attributes as required by claim 49.   In addition, <u>Goodman</u> does not teach wherein the application program is used to independently change a control object as required by claim 50.
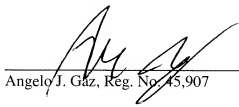
CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: __February 26, 2008__

_____
Angelo J. Gaz, Reg. No. 45,907

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
Telephone (310) 207-3800
Facsimile (408) 720-8383

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

_____   2/26/08
Robert Fiore   Date